

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 493, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between lines 4 and 5, begin a new paragraph and insert:
- 2 "SECTION 2. IC 12-7-2-24.6 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2003]: **Sec. 24.6. "Caretaker", for purposes**
- 5 **of IC 12-10.5, has the meaning set forth in IC 12-10.5-1-1."**
- 6 Page 1, between lines 8 and 9, begin a new paragraph and insert:
- 7 "SECTION 4. IC 12-7-2-180.1 IS ADDED TO THE INDIANA
- 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2003]: **Sec. 180.1. "Special needs", for**
- 10 **purposes of IC 12-10.5, has the meaning set forth in**
- 11 **IC 12-10.5-1-2."**
- 12 Page 1, delete lines 9 through 17.
- 13 Page 2, delete lines 1 through 8.
- 14 Page 2, line 17, delete "(a)" and insert **"This chapter is subject to**
- 15 **funding available to the office of the secretary of family and social**
- 16 **services.**
- 17 **Sec. 3."**
- 18 Page 2, delete lines 22 through 25.
- 19 Page 2, line 26, delete "Sec. 3." and insert **"Sec. 4."**
- 20 Page 2, line 29, after "in" insert **", or has been determined to be**
- 21 **eligible for,".**

Page 2, line 32, delete ":" and insert ", **which must meet the general eligibility standards for an individual receiving services under a home and community based Medicaid waiver:**".

Page 2, line 39, delete "." and insert "**or is currently residing in an institution and has been determined to be eligible for services under IC 12-10-10 or under a home and community based Medicaid waiver.**".

Page 2, line 40, delete "Sec. 4." and insert "**Sec. 5.**".

Page 3, line 16, delete "setting, including" and insert "**setting.**".

Page 3, delete lines 17 through 21.

Page 3, line 22, delete "Sec. 5." and insert "**Sec. 6.**".

Page 3, line 26, delete "shall" and insert "**may**".

Page 3, delete lines 29 through 37, begin a new paragraph and insert:

"SECTION 7. IC 12-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

ARTICLE 10.5. RESPITE CARE SERVICES

Chapter 1. Caretaker Support Program

Sec. 1. As used in this chapter, "caretaker" means an individual who:

(1) **provides ongoing care for an individual who:**

(A) **is at least eighteen (18) years of age; and**

(B) **has special needs; and**

(2) **does not receive money for the care provided under subdivision (1).**

Sec. 2. As used in this chapter, "special needs" means any of the following:

(1) **Alzheimer's disease or any related disorder.**

(2) **Inability to perform at least two (2) activities of daily living.**

(3) **Any other condition that the division determines by rule should be covered by this article.**

Sec. 3. The caretaker support program is established.

Sec. 4. (a) The division of disability, aging, and rehabilitative services established by IC 12-9-1-1 shall administer the caretaker support program established under this chapter.

(b) The division of disability, aging, and rehabilitative services shall do the following:

(1) **Adopt rules under IC 4-22-2 for the coordination and administration of the caretaker support program.**

(2) **Administer any state money for the caretaker support**

1 program.

2 **Sec. 5. An individual who is at least sixty (60) years of age and:**

3 (1) a caretaker; or

4 (2) an individual with special needs being taken care of by a
5 caretaker;

6 is eligible for the caretaker support program.

7 **Sec. 6. Caretaker support program services include the**
8 **following services administered by the area agencies on aging:**

9 (1) Information for caretakers about available services.

10 (2) Assistance to caretakers in gaining access to the services.

11 (3) Individual counseling, organization of support groups, and
12 caretaker training to assist caretakers in making decisions
13 and solving problems in the individual's role as caretaker.

14 (4) Respite care to offer caretakers temporary relief from
15 caretaker responsibilities.

16 **Sec. 7. The division shall develop and implement a client cost**
17 **share formula for respite care services.**

18 **Chapter 2. Continuum of Care**

19 **Sec. 1. The division shall:**

20 (1) provide standards for the training of; and

21 (2) promote best practices for;

22 continuum of care program providers.

23 **Sec. 2. The division may adopt rules under IC 4-22-2 necessary**
24 **to carry out this chapter."**

25 Page 5, line 4, after "IC 16-28." insert **"The office also shall seek**
26 **approval for twenty thousand (20,000) additional waiver slots."**

27 Page 6, delete lines 17 through 39.

28 Page 7, delete lines 9 through 42.

29 Delete page 8.

30 Page 9, delete lines 1 through 29, begin a new paragraph and insert:

31 **"SECTION 12. [EFFECTIVE JULY 1, 2003] The Indiana health**
32 **facility financing authority created by IC 5-1-16-2(a) is encouraged**
33 **to work with for profit health facilities and nonprofit organizations**
34 **that are operating under a joint agreement to convert health**
35 **facility beds to less intensive care beds through the issuance, sale,**
36 **or delivery of a bond under IC 5-1-16."**

37 Page 10, line 5, after "the" insert **"office of the"**.

38 Page 10, delete lines 28 through 42.

39 Page 11, delete lines 1 through 14.

40 Page 11, line 15, delete "[EFFECTIVE JULY 1, 2003]" and insert
41 **"[EFFECTIVE UPON PASSAGE]"**.

42 Page 11, line 15, delete "As used in this" and insert **"Beginning**

- 1 **July 1, 2003, the office of Medicaid policy and planning shall**
 - 2 **implement a policy that allows the amount of Medicaid funds**
 - 3 **necessary to provide for services to follow an individual who is**
 - 4 **transferring from institutional care to Medicaid home and**
 - 5 **community based care. The amount may not exceed the amount**
 - 6 **that would have been spent on the individual if the individual had**
 - 7 **stayed in institutional care."**
 - 8 Page 11, delete lines 16 through 42.
 - 9 Page 12, delete lines 1 through 4.
 - 10 Renumber all SECTIONS consecutively.
- (Reference is to SB 493 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 10, Nays 0.

Senator Miller, Chairperson